

## **Virginia Title V Operating Permit**

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-305 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Acadia Polymers, Inc.
Facility Name:	Acadia Polymers, Inc.
Facility Location:	Route 1705, Tannery Road Iron Gate, Virginia
Registration Number:	20391
Permit Number:	VA-20391

Effective Date: August 1, 2001

Expiration Date: August 1, 2006

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Dennis H. Treacy  
Director, Department of Environmental Quality

Signature Date: July 13, 2001

Permit Conditions, 36 pages

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## **I. Facility Information**

### **Permittee**

Acadia Polymers  
P. O. Box 529  
Clifton Forge, VA 24422

### **Responsible Official**

David Boyd  
Plant Manager

### **Facility**

Acadia Polymers  
Route 1705, Tannery Road  
Iron Gate, VA 24448 (Alleghany County)

### **Contact Person**

Walt Durham  
Plant Engineer  
540-863-2230

**Registration Number:** 20391

**AIRS Identification Number:** 51-005-0013

**Facility Description:** 3069 – This manufacturing plant produces specialty rubber compounds and specialty rubber parts. The plant has three operating divisions: Central Mixing, Business Machines, and Bonded Piston Seals. Each division is described in the Statement of Basis. In addition, the plant operates three boilers. Each boiler operates on natural gas with Number 2 Fuel Oil back-up. Under typical plant operation only one boiler is in operation. All three boilers were installed prior to requirements for NSR Permits.

## II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Fuel Burning Equipment</b>							
EU-C-14	14	Kewanee Boiler (H25600502)	25.11 MMBTU/hr	None	NA	NA	NA
EU-C-19	19	Cleaver Brooks Boiler (LR619-15)	12.50 MMBTU/hr	None	NA	NA	NA
EU-C-20	20	Cleaver Brooks Boiler (LR407-35)	14.70 MMBTU/hr	None	NA	NA	NA
<b>Central Mixing (EU-CM)</b>							
EU-CM-1	1	60" Open Mix Silicone Mill	657.0 tpy	None	NA	NA	NA
EU-CM-2	2	84" Open Mix Color Mill	1,314.0 tpy	None	NA	NA	NA
EU-CM-3	44	Carbon Black Debagging Slitter	876.0 tpy	Baghouse	44	PM	4/17/00
EU-CM-43	43	3D Mill (below Internal Mixers)	6,570.0 tpy	None	NA	NA	NA
EU-CM-44a	44	3D Ferrell Internal Mixer	6,570.0 tpy	Baghouse	44	PM	4/17/00
EU-CM-44b	44	#10 Stewart Boling Internal Mixer	13,140.0 tpy	Baghouse	44	PM	4/17/00
EU-CM-45	45	#10 Sheeter Mill (below Internal Mixers)	13,140.0 tpy	None	NA	NA	NA
<b>Business Machines (EU-BMO)</b>							
EU-BMO-11	11	Fluoroelastomer Spray Booth	257.5 tpy	Water Curtain	11	PM	4/17/00
<b>Bonded Piston Seals (EU-BPS)</b>							
EU-BPS-29	29	Binks Spray Booth	1.46 gal/hr				
EU-BPS-30	30	Binks Spray Booth	1.46 gal/hr				

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
EU-BPS-32	32	Adhesive Spray Booth		None	NA	NA	NA
EU-BPS-33	33	Adhesive Spray Booth		None	NA	NA	NA
EU-BPS-34	34	Adhesive Spray Booth		None	NA	NA	NA
EU-BPS-35	35	Adhesive Spray Booth		None	NA	NA	NA

\* The Size/Rated Capacity is provided for informational purposes only, and is not an applicable requirement

### **III. Fuel Burning Equipment Requirements – (EU-C)**

#### **A. Limitations**

1. The approved fuels for the three boilers (EU-C-14, EU-C-19, EU-C-20) are natural gas and distillate oil. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials, ASTM D396-78 "Standard Specification for Fuel Oils". A change in the fuels may require a permit to modify and operate.  
(9 VAC 5-40-900, 9 VAC 5-40-930, 9 VAC 5-170-160, and 9 VAC 5-80-110)
2. The maximum sulfur content of the oil to be burned in the boilers (EU-C-14, EU-C-19, EU-C-20) shall not exceed 0.5 percent by weight per shipment.  
(9 VAC 5-40-930, 9 VAC 5-170-160, and 9 VAC 5-80-110)
3. Visible emissions from each of the three boiler stacks (14, 19, 20) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-40-940 and 9 VAC 5-80-110)
4. Boiler emissions shall be controlled by proper operation and maintenance. Boiler operators shall be trained in the proper operation of all such equipment. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum.  
(9 VAC 5-40-900, 9 VAC 5-40-930, 9 VAC 5-170-160, and 9 VAC 5-80-110)

#### **B. Monitoring**

1. Operation & Maintenance Procedures - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to the boilers and related air pollution control equipment which affect such emissions:
  - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance for the boilers.
  - b. Develop an inspection schedule, monthly at a minimum, to insure operational integrity of the boilers, and maintain records of inspection results.
  - c. Have available written operating procedures for the boilers. These procedures shall be based on the manufacturer's recommendations, at a minimum, if such recommendations exist.

- d. Train operators in the proper operation of the boilers and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance, inspections and training shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.  
(9 VAC 5-80-110, 9 VAC 5-80-110 F & K, 9 VAC 5-40-20E, 9 VAC 5-50-20 E)

### **C. Recordkeeping**

1. The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil. Each fuel supplier certification shall include the following:
  - a. The name of the fuel supplier,
  - b. The date on which the oil was received,
  - c. The volume of distillate oil delivered in the shipment,
  - d. A statement that the oil complies with the American Society for Testing and Materials specifications for fuel oil numbers 1 and 2, and
  - e. The sulfur content of the oil.

(9 VAC 5-80-110)

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:
  - a. The monthly and annual throughput of natural gas (in million cubic feet) and distillate oil (in 1000 gallons) for the three boilers. The annual throughput shall be calculated as the sum of each consecutive twelve (12) month period.
  - b. Monthly and annual estimates of the emissions of nitrogen oxides, sulfur dioxide, carbon monoxide, volatile organic compounds, and particulate matter produced by the combustion of natural gas and distillate oil. This estimate shall be based on emission factors for fuel combustion from USEPA publication AP-42, emission factors derived from actual emission tests of the boilers, or comparable emission factors acceptable to the DEQ. The annual estimated emissions shall be calculated as the sum of each consecutive twelve (12) month period.
  - c. All fuel supplier certifications.



These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.  
(9 VAC 5-80-110)

3. The permittee shall maintain records of the required training including a statement of time, place and nature training provided. The permittee shall have available good written operating procedures and a maintenance schedule for the boiler(s). These procedures shall be based on the manufacturer's recommendations, at minimum. All records required by this condition shall be kept on site and made available for inspection by the DEQ.  
(9 VAC 5-80-110)

#### **D. Testing**

1. Any modifications to this area of the permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided when requested at the appropriate locations or in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix B).  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 9 of the 4/17/00 Permit)

#### **E. Reporting**

The reporting requirements for this section are satisfied by the recordkeeping requirements in this section and by the General Permit Conditions in the Facility-Wide and General Requirements section.

#### **IV. Process Equipment Requirements – Central Mixing (EU-CM)**

##### **A. Limitations**

1. Particulate emissions from the Stewart Boling mixer (EU-CM-44b), the 3D Ferrel mixer (EU-CM-44a), and the carbon black debagging splitter (EU-CM-3) shall be controlled by a baghouse style fabric filter. The baghouse shall be provided with adequate access for inspection and shall be in operation when the splitter or either mixer is operating.  
(9 VAC 5-80-110, and Condition 3 of the 4/17/00 Permit)
2. The production of compounded elastomer (mixed rubber) processed in the Stewart Boling (EU-CM-44b) and 3D Ferrel (EU-CM-44a) mixers, combined, shall not exceed 4,950 pounds per hour nor 21,681 tons per year, calculated monthly as the sum of each consecutive 12 month period.  
(9 VAC 5-80-110, 9 VAC 5-80-110 and Condition 11 of the 4/17/00 Permit)
3. The baghouse shall achieve a control performance of no less than 0.01 grains per dry standard cubic foot of exhaust air.  
(9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 6 of the 4/17/00 Permit)
4. The baghouse shall be equipped with a device to continuously measure the differential pressure drop across the fabric filter. This monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. This monitoring device shall be provided with adequate access for inspection and shall be in operation when the baghouse is operating.  
(9 VAC 5-50-80, 9 VAC 5-50-20, VAC 5-50-260, and Condition 7 of the 4/17/00 Permit)
5. The device used to continuously measure differential pressure across the fabric filter shall be observed by the permittee with a frequency of not less than once per day on days when the mixers are operating. The permittee shall keep a log of the observations from the differential pressure monitoring device.  
(9 VAC 5-50-50, and 9 VAC 5-80-110, and Condition 8 of the 4/17/00 Permit)
6. The disposal of collected particulate matter shall be performed in a manner which minimizes the introduction of air contaminants to the ambient air.  
(9 VAC 5-170-160, 9 VAC 5-80-110 and Condition 10 of the 4/17/00 Permit)

7. Visible emissions from the mixers and the baghouse shall not exceed 5 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-50-80, 9 VAC 5-50-260, 9 VAC 5-80-110, and Condition 17 of the 4/17/00 Permit)
8. Emissions from the operation of the Stewart Boling (EU-CM-44b) mixer, the 3D Ferrel mixer (EU-CM-44a), and the carbon black debagging splitter (EU-CM-3) shall not exceed the limits specified below:

Total Suspended Particulate	1.39 lbs/hr	6.10 tons/yr	(9 VAC 5-50-260)
PM-10	1.39 lbs/hr	6.10 tons/yr	(9 VAC 5-50-260)

(9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 14 of the 4/17/00 Permit)

## **B. Recordkeeping**

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:

1. Annual production of elastomeric materials produced in the Stewart Boling Mixer (EU-CM-44b), 3D Ferrel Mixer (EU-CM-44a), Open Mix Color Mill (EU-CM-2), and Open Mix Silicone Mill (EU-CM-1) including number of batches, weight of each batch, total batches and total material weights and compositions for each mixer and/or mill, calculated monthly as the sum of each consecutive 12 month period. The material compositions shall be identified with the corresponding material types used in conjunction with the Rubber Manufacturers Association (RMA) emission factors or with alternate emission factors acceptable to the DEQ.
2. Monthly and annual estimates of the emissions of VOCs, individual HAPs, and total HAPs from the Stewart Boling Mixer (EU-CM-44b) and Sheeter Mill (EU-CM-45), 3D Ferrel Mixer (EU-CM-44a), 3D Ferrel Mill (EU-CM-43), Open Mix Color Mill (EU-CM-2), and Open Mix Silicone Mill (EU-CM-1). This estimate shall be based on emission factors for milling or for mixing and milling compiled by the RMA, emission factors derived from actual emission tests of the mills and/or mixers, or comparable emission factors acceptable to the DEQ. The annual estimated emissions shall be calculated as the sum of each consecutive twelve (12) month period.

3. Monthly and annual estimates of the emissions of particulate from the Stewart Boling Mixer (EU-CM-44b), #10 Sheeter Mill (EU-CM-45), 3D Ferrel Mixer (EU-CM-44a), 3D Ferrel Mill (EU-CM-43), the carbon black debagging splitter (EU-CM-3), Open Mix Color Mill (EU-CM-2), and Open Mix Silicone Mill (EU-CM-1). This estimate shall be based on emission factors for milling or for mixing and milling compiled by the RMA, emission factors derived from actual emission tests of the equipment, or comparable emission factors acceptable to the DEQ. These estimates shall be adjusted for the control efficiency of the baghouse for those units ducted to the baghouse. The annual estimated emissions shall be calculated as the sum of each consecutive twelve (12) month period.
4. Daily pressure differential readings of the pressure differential indicator on the baghouse for all days on which the mixers were operating.
5. Scheduled and unscheduled maintenance, and operator training for the baghouse.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110, and Condition 20 of the 4/17/00 Permit)

### **C. Testing**

1. The 3D Ferrel Mixer (EU-CM-44a), the Stewart Boling Mixer (EU-CM-44b), the baghouse and any modifications to this area of the permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided when requested at the appropriate locations or in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix B).  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 9 of the 4/17/00 Permit)
2. Upon request by the DEQ, the permittee shall conduct additional performance tests for particulate matter from the baghouse to demonstrate compliance with the emission limits and control performance requirements contained in this permit. The details of the tests shall be arranged with the Director, West Central Regional Office.  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 18 of the 4/17/00 Permit)
3. Upon request by the DEQ, the permittee shall conduct additional visible emission evaluations from the baghouse to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Director, West Central Regional Office.  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 19 of the 4/17/00 Permit)

#### **D. Reporting**

The reporting requirements for this section are satisfied by the recordkeeping requirements in this section and by the General Permit Conditions in the Facility-Wide and General Requirements section.

## **V. Process Equipment Requirements – Business Machine Operations (EU-BMO)**

### **A. Limitations**

1. Particulate emissions from the fluoroelastomer spray booth (EU-BMO-11) shall be controlled by a water curtain. The water curtain shall be provided with adequate access for inspection and shall be in operation when the fluoroelastomer spray booth is operating.  
(9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 4 of the 4/17/00 Permit)
2. The throughput of volatile organic compounds in the coatings used in the fluoroelastomer spray booth (EU-BMO-11) shall not exceed 22.33 tons per year, calculated monthly as the sum of each consecutive 12 month period.  
(9 VAC 5-80-10, 9 VAC 5-80-110, and Condition 12 of the 4/17/00 Permit)
3. Visible emissions from the fluoroelastomer spray booth (EU-BMO-11) shall not exceed 5 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-50-80, 9 VAC 5-50-260, 9 VAC 5-80-110, and Condition 17 of the 4/17/00 Permit)
4. Emissions from the operation of the fluoroelastomer spray booth (EU-BMO-11) shall not exceed the limits specified below:

Volatile Organic Compounds	8.6 lbs/hr	22.33 tons/yr	(9 VAC 5-50-260)
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(9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 15 of the 4/17/00 Permit)

### **B. Recordkeeping**

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:

1. Monthly and annual throughput (in gallons or pounds) of each fluoroelastomer coating used in the fluoroelastomer spray booth (EU-BMO-11). Annual throughputs shall be calculated monthly as the sum of each consecutive 12 month period.

2. Annual throughput of volatile organic compounds in the coatings sprayed in the fluoroelastomer spray booth (EU-BMO-11), calculated monthly as the sum of each consecutive 12 month period.
3. Monthly and annual emissions (in pounds or tons) of each Hazardous Air Pollutant (HAP) contained in the throughput of the fluoroelastomer spray booth (EU-BMO-11), the total glycol ethers, and the total HAPs. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.
4. Certified Product Data Sheets (CPDS) showing VOC content, HAP content, water content, and solids content for each coating, adhesive, thinner, cleaning solution, or other material used in the fluoroelastomer spray booth (EU-BMO-11). In the absence of such documentation, VOC content of raw materials shall be determined using 40 CFR Part 60, Appendix A EPA Reference Method 24 or equivalent method acceptable to VDEQ.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110, and Condition 20 of the 4/17/00 Permit)

### **C. Testing**

1. The fluoroelastomer spray booth (EU-BMO-11) and any modifications to this area of the permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided when requested at the appropriate locations **or** in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix B).  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 9 of the 4/17/00 Permit)
2. Upon request by the DEQ, the permittee shall conduct additional visible emission evaluations from the fluoroelastomer spray booth (EU-BMO-11) to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Director, West Central Regional Office.  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 19 of the 4/17/00 Permit)

### **D. Reporting**

The reporting requirements for this section are satisfied by the recordkeeping requirements in this section and by the General Permit Conditions in the Facility-Wide and General Requirements section.

## **VI. Process Equipment Requirements – Bonded Piston Seals (EU-BPS)**

### **A. Limitations**

1. Particulate emissions from the Binks adhesive spray booths (EU-BPS-29 and EU-BPS-30) shall be controlled by dry overspray filters. The dry overspray filters shall be provided with adequate access for inspection and shall be installed at all times when the spray booths are operating.  
(9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 5 of the 4/17/00 Permit)
2. The throughput of volatile organic compounds in the coatings used in the Binks adhesive spray booths (EU-BPS-29 and EU-BPS-30), combined, shall not exceed 43.12 tons per year, calculated monthly as the sum of each consecutive 12 month period.  
(9 VAC 5-80-110 and Condition 13 of the 4/17/00 Permit)
3. Visible emissions from the Binks adhesive spray booths (EU-BPS-29 and EU-BPS-30) shall not exceed 5 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-50-80 and 9 VAC 5-80-110, and Condition 17 of the 4/17/00 Permit)
4. Visible emissions from the other four adhesive spray booths (EU-BPS-32 to 35) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-40-80 and 9 VAC 5-80-110)
5. Emissions from the operation of the two Binks spray booths (EU-BPS-29 and EU-BPS-30) (combined) shall not exceed the limits specified below:

Volatile Organic Compounds	25.2 lbs/hr	43.12tons/yr	(9 VAC 5-50-260)
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(9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 16 of the 4/17/00 Permit)

### **B. Recordkeeping**

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:



1. Monthly and annual throughput (in gallons or pounds) of each adhesive, coating, or cleaning solution used in the Binks adhesive spray booths (EU-BPS-29 and EU-BPS-30). Annual throughputs shall be calculated monthly as the sum of each consecutive 12 month period.
2. Monthly and annual throughput (in gallons or pounds) of each adhesive, coating, or cleaning solution used in the other four adhesive spray booths (EU-BPS-32 to 35). Annual throughputs shall be calculated monthly as the sum of each consecutive 12 month period.
3. Annual throughput of volatile organic compounds in the adhesives, coatings, and cleaning solutions used in the Binks adhesive spray booths (EU-BPS-29 and EU-BPS-30), calculated monthly as the sum of each consecutive 12 month period.
4. Annual throughput of volatile organic compounds in the adhesives, coatings, and cleaning solutions used in the other four adhesive spray booths (EU-BPS-32 to 35), calculated monthly as the sum of each consecutive 12 month period.
5. Monthly and annual emissions (in pounds or tons) of each Hazardous Air Pollutant (HAP) contained in the throughput of the Binks adhesive spray booths (EU-BPS-29 and EU-BPS-30), the total glycol ethers, and the total HAPs. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.
6. Monthly and annual emissions (in pounds or tons) of each Hazardous Air Pollutant (HAP) contained in the throughput of the other four adhesive spray booths (EU-BPS-32 to 35), the total glycol ethers, and the total HAPs. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.
7. Certified Product Data Sheets (CPDS) showing VOC content, HAP content, water content, and solids content for each coating, adhesive, thinner, cleaning solution, or other material used in the adhesive spray booths (EU-BPS-30 to 35). In the absence of such documentation, VOC content of raw materials shall be determined using 40 CFR Part 60, Appendix A EPA Reference Method 24 or equivalent method acceptable to VDEQ.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 10 of 3/30/92 Permit)

**C. Testing**

1. The two NSR permitted adhesive spray booths (EU-BPS-29 and EU-BPS-30) and any modifications to this area of the permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided when requested at the appropriate locations or in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix B).  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 9 of the 4/17/00 Permit)
2. Upon request by the DEQ, the permittee shall conduct additional visible emission evaluations from the Binks adhesive spray booths (EU-BPS-29 and EU-BPS-30) to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Director, West Central Regional Office.  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 19 of the 4/17/00 Permit)

**D. Reporting**

The reporting requirements for this section are satisfied by the recordkeeping requirements in this section and by the General Permit Conditions in the Facility-Wide and General Requirements section.

## **VII. Facility Wide Conditions**

### **A. Limitations**

1. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, monitoring devices, and process equipment which affect such emissions:
  - a) Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance. These records shall be maintained on site for a period of five years and shall be made available to Department personnel on request.
  - b) Maintain an inventory of spare parts.
  - c) Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
  - d) Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

(9 VAC 5-50-20, 9 VAC 5-80-110, and Condition 26 of the 4/17/00 Permit)
2. The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.

(9 VAC 5-20-180 and Condition 25 of the 4/17/00 Permit)
3. The permittee shall notify the Director, West Central Regional Office, of any change in the composition of products produced which will increase emissions beyond the significance level from equipment listed as insignificant emission sources in this permit.

(9 VAC 5-80-110)
4. The DEQ reserves the right to reopen this permit based on changes of recommended emission factors from USEPA or based on revised guidance from USEPA or the Commonwealth of Virginia regarding significance levels for Hazardous Air Pollutants.

(9 VAC 5-80-110)

## **B. Monitoring**

1. The permittee shall conduct a weekly observation of the facility including the baghouse and all spray booth stacks during operation of the boilers (EU-C-14, EU-C-19, and EU-C-20), baghouse and spray booths (EU-BMO-11 and EU-BPS-29 through 35) using a 40 CFR 60 Appendix A Method 22 evaluation. If any visible emission is observed, the condition shall be corrected as soon as practicable [sic] such that no visible emissions exist and recorded or, alternatively, a 40 CFR 60 Appendix A Method 9 evaluation shall be performed to determine if the opacity source is in compliance with the conditions of this permit. If a spray booth does not operate during a weekly period, this shall be noted on the reports of this monitoring activity. (9 VAC 5-80-110)
2. Operation & Maintenance Procedures – The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:
  - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
  - b. Develop an inspection schedule, monthly at a minimum, to insure the operational integrity of the air pollution control equipment and maintain records of inspection results.
  - c. Have available written operating procedures for the air pollution control equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
  - d. Train operators in the proper operation of all air pollution control equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.
  - e. Maintain an inventory of spare parts that are needed to maintain the air pollution control equipment in proper working order.

Records of maintenance, inspections and training shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request. (9 VAC 5-80-110, 9 VAC 5-80-110 F & K, 9 VAC 5-40-20E, 9 VAC 5-50-20E)

### **C. Recordkeeping**

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:

1. Monthly and annual emissions (in pounds or tons) of each volatile organic compound and Hazardous Air Pollutant (HAP), if any, emitted from significant production related activities and not otherwise included in the record keeping requirements of the specific production units. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.
2. Monthly and annual summations of total volatile organic compound emissions, total emissions of each individual HAP, total emissions of combined glycol ethers, and total emissions of combined HAPs for the facility as a whole. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period.
3. Material Safety Data Sheets (MSDS) or other vendor information showing VOC content, HAP content, water content, and solids content for each coating, adhesive, thinner, cleaning solution, or other material regularly used in production activities and not covered in the requirements for specific production units.
4. Weekly records of required opacity evaluations including all Method 22 evaluations, all Method 9 evaluations, all malfunction adjustments associated with opacity observations, and a record of any spray booths which did not operate during the weekly evaluation period.
5. Results of all stack tests, visible emission evaluations and performance evaluations.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 20 of the 4/17/00 Permit)

### **D. Testing**

1. Any modifications to the permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided when requested at the appropriate locations **or** in accordance with the applicable performance specification (reference 40 CFR Part 60, Appendix B).  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 9 of the 4/17/00 Permit)

2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a or other method approved by DEQ
VOC Content	EPA Methods 24, 24a or other method approved by DEQ
PM/PM-10	EPA Method 5, 17 or other method approved by DEQ
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

#### **E. Reporting**

1. Within 30 days of a failure or malfunction that is expected to exist for 30 days or more, and semi-monthly thereafter until the failure or malfunction is corrected, the permittee shall furnish written reports to the Director, West Central Regional Office containing the following:
  - a. Identification of the specific facility that is affected as well as its location and registration number;
  - b. The expected length of time that the air pollution control equipment will be out of service;
  - c. The nature and quantity of air pollutant emissions likely to occur during the breakdown period;
  - d. Measures taken to reduce emissions to the lowest amount practicable during the breakdown period;
  - e. A statement as to why the owner was unable to obtain repair parts or perform repairs that which would allow compliance with the provisions of these regulations within 30 days of the malfunction or failure;
  - f. An estimate, with reasons given, of the duration of the shortage of repairs or repair parts which would allow compliance with the provisions of these regulations; and
  - g. Any other pertinent information as may be requested by the board.

(9 VAC 5-20-180, 9 VAC 5-80-110, and Condition 21 of the 4/17/00 Permit)

2. The permittee shall furnish notification to the Director, West Central Regional Office of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which results in excess emissions for more than one hour, at least 24 hours prior to the shutdown. The notification shall include, but is not limited to, the following information:
    - a. Identification of the air pollution control equipment to be taken out of service, as well as its location, and registration number;
    - b. The expected length of time that the air pollution control equipment will be out of service;
    - c. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period;
    - d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.
- (9 VAC 5-20-180, 9 VAC 5-80-110, and Condition 23 of the 4/17/00 Permit)

## VIII. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
4	BPS Warm Up Mill	B	VOC, HAP	N/A
5	QA/QC Laboratory Oven	A	VOC	N/A
6	QA/QC Laboratory Oven	A	VOC	N/A
7	QA/QC Laboratory Oven	A	VOC	N/A
8	QA/QC Laboratory Oven	A	VOC	N/A
9	Gruenburg Oven (NG)	C	CO, SO <sub>2</sub> , NO <sub>x</sub> , VOC, HAP, PM	1.00 MMBTU/hr
10	Fluoroelastomer Drying Oven	B	VOC, HAP	N/A
12	BMO Curing Oven	B	VOC, HAP	N/A
13	BMO Curing Oven	B	VOC, HAP	N/A
21	Three QA/QC Lab Cure Ovens	A	VOC	N/A
22, 49	Welding	B	PM, metals	N/A
23	Electric Oven	B	PM, VOC, HAPs	N/A
24	Michigan Oven Co. (NG oven)	C	CO, SO <sub>2</sub> , NO <sub>x</sub> , VOC, HAP, PM	1.00 MMBTU/hr
27	Electric Recure Oven	B	PM, VOC, HAPs	N/A
28	Electric Recure Oven	B	PM, VOC, HAPs	N/A
31	Binks Oven (SCS-10/20/2/G-3)	C	CO, SO <sub>2</sub> , NO <sub>x</sub> , VOC, HAP, PM	0.20 MMBTU/hr
37	Paint Storage	B	VOC	N/A
38, 39, 40	Lathe Operation	B	PM	N/A
48	Heat Treat Oven (electric)	B	PM, VOC, HAPs	N/A
50	Three electric ovens	B	PM, VOC, HAPs	N/A
51	Solvent spot cleaning (by hand)	B	VOC	N/A
52	Solvent spot cleaning (by hand)	B	VOC	N/A
53	Electric Oven	B	PM, VOC, HAPs	N/A
54	Phosphate Cleaning Fume Hood	A	PM	N/A
55	Steam Vulcanizer	B	PM, VOC, HAPs	N/A
58	Two Recure Ovens (electric)	B	PM, VOC, HAPs	N/A
60	Electric Oven	B	PM, VOC, HAPs	N/A
61	Electric Oven	B	PM, VOC, HAPs	N/A
70	Development Lab Electric Oven	B	PM, VOC, HAPs	N/A
71	Development Lab Electric Oven	B	PM, VOC, HAPs	N/A
73	QA/QC Hood	B	PM, VOC, HAPs	N/A
74	QA/QC – Six Electric Ovens	B	PM, VOC, HAPs	N/A
75	Silicone Room Heat Exhaust	B	PM	N/A



Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
T1	Solvent Tank	B	VOC	N/A
T2	Solvent Tank	B	VOC, HAPs	N/A
T3	Solvent Tank	B	VOC, HAPs	N/A
T5	Fuel Oil Tank	B	VOC	N/A
T6	Waste Oil Tank	B	VOC	N/A
T7	Raw Material Tank	B	VOC	N/A
T8	Raw Material Tank	B	VOC	N/A
T9	Raw Material Tank	B	VOC	N/A
BMO-PRS	Six Presses	B	VOC, HAPs	N/A
BPS-PRS	Thirty-Eight Presses	B	VOC, HAPs	N/A
BPS-EXT	Three Cold Feed Extruders	B	VOC, HAP, PM	N/A

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

## IX. Permit Shield & Inapplicable or Streamlined Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60 Subpart Dc	NSPS for Small Steam Generators	All units constructed prior to 6/23/84
40 CFR 60 Subpart K	NSPS for Storage Vessels	No vessels with capacity > 40,000 gal
40 CFR 60 Subpart Kb	NSPS for VOL Storage Vessels	All vessels constructed prior to 6/23/84
40 CFR 63 Subpart H	NES for Equipment Leaks	Styrene/butadiene is mixed but not manufactured at the facility
9 VAC 5-40-900	Particulate Matter Standard for Fuel Burning Equipment	Conditions III-A-1 and III-A-4 insure that equipment cannot exceed this emission standard
9 VAC 5-40-930	Sulfur Dioxide Standard for Fuel Burning Equipment	Conditions III-A-1, III-A-2, and III-A-4 insure that equipment cannot exceed this emission standard

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.  
(9 VAC 5-80-140)

## **X. General Conditions**

### **A. Federal Enforceability**

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

### **B. Permit Expiration**

This permit shall become invalid five years from the date of issuance. The permittee shall submit an application for renewal of this permit no earlier than 18 months and no later than six months prior to the date of expiration of this permit. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the DEQ on the renewal application.

(9 VAC 5-80-110 D and 9 VAC 5-80-80 F)

### **C. Recordkeeping and Reporting**

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G. [Note that much of the recordkeeping required by this permit also serves as required periodic monitoring to determine emissions compliance and therefore needs to be addressed in the periodic reports.] The details of the reports are to be arranged with the Director, West Central Regional Office. The reports shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

- (1) Exceedance of emissions limitations or operational restrictions;
- (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
- (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

- d. The report shall be sent to the following address:

VA DEQ  
Director, West Central Regional Office  
ATTN: Air Compliance Manager  
3019 Peters Creek Road  
Roanoke, VA 24019

(9 VAC 5-80-110 F)

#### **D. Annual Compliance Certification**

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)  
U. S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

#### **E. Permit Deviation Reporting**

The permittee shall notify the Director, West Central Regional Office, within four daytime business hours of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the occurrence, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition X.D.3 of this permit.  
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

#### **F. Failure/Malfunction Reporting**

If, for any reason, the affected facilities or related air pollution control equipment fails or malfunctions and may cause excess emissions for more than one hour, the owner shall notify the Director, West Central Regional Office, within four (4) daytime business hours of the occurrence. In addition, the owner shall provide a written statement, within 14 days, explaining the problem, corrective action taken, and the estimated duration of the breakdown/shutdown.  
(9 VAC 5-80-250)

#### **G. Severability**

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.  
(9 VAC 5-80-110 G.1)

#### **H. Duty to Comply**

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.  
(9 VAC 5-80-110 G.2)

#### **I. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
(9 VAC 5-80-110 G.3)

**J. Permit Action for Cause**

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
(9 VAC 5-80-110 G.4)
2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
  - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
  - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
  - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
  - d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
  - e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
  - f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
  - g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

**K. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)

**L. Duty to Submit Information**

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)

**M. Duty to Pay Permit Fees**

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-305 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.  
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

**N. Fugitive Dust Emission Standards**

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.  
(9 VAC 5-40-90 and 9 VAC 5-50-90)

**O. Startup, Shutdown, and Malfunction**

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.  
(9 VAC 5-50-20)

**P. Alternative Operating Scenarios**

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.  
(9 VAC 5-80-110 J)

**Q. Inspection and Entry Requirements**

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.



4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

#### **R. Reopening For Cause**

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

#### **S. Permit Availability**

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

#### **T. Transfer of Permits**

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)

#### **U. Malfunction as an Affirmative Defense**

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph 2 are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
  - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
  - d. For malfunctions that occurred for one hour or more, the permittee submitted to the Board by the deadlines described in **Failure/Malfunction Reporting** above, a notice and written statement containing a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notice fulfills the requirement of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.

(9 VAC 5-80-250)

#### **V. Permit Revocation or Termination for Cause**

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for

such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-260)

#### **W. Duty to Supplement or Correct Application**

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-80 E)

#### **X. Stratospheric Ozone Protection**

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(40 CFR Part 82, Subparts A-F)

#### **Y. Accidental Release Prevention**

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.  
(40 CFR Part 68)

#### **Z. Changes to Permits for Emissions Trading**

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.  
(9 VAC 5-80-110 I)

#### **AA. Emissions Trading**

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.

2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)